



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **EP-4**

May 12, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE
WALNUT PARK GARBAGE DISPOSAL DISTRICT
SUPERVISORIAL DISTRICT 1
4 VOTES AT HEARING**

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

1. Find that the adoption of the enclosed Report and proposed ordinance is for the purpose of meeting operating expenses and, therefore, is exempt from the California Environmental Quality Act pursuant to Section 21080(b)8 of the Public Resources Code.
2. Adopt the Annual Garbage Collection and Disposal Service Fee Report, Fiscal Year 2005-06, for the Walnut Park Garbage Disposal District (Enclosure A), and introduce, waive reading, and adopt the proposed ordinance amending Chapter 20.90 of the Los Angeles County Code to increase the Annual Garbage Collection and Disposal Service Fee for the Walnut Park Garbage Disposal District and providing for such fee to be collected on the tax roll (Enclosure C), if there is no majority protest by a two-thirds majority.

PURPOSE/JUSTIFICATION OF RECOMMENDATION

In September 1980, your Board adopted several ordinances establishing service fees to supplement property taxes to provide for refuse collection and disposal services in various Garbage Disposal Districts in the County of Los Angeles, including the Walnut Park Garbage Disposal District.

Currently, each parcel of real property within the Walnut Park Garbage Disposal District is assessed an annual service fee based on the number of refuse units. The number of refuse units assigned to each parcel of real property is based on the current property use classification derived from the County Assessor's tax roll. The number of units per parcel varies from one-half unit for a vacant parcel to 18 units for a community shopping center. A parcel containing a single-family residential unit has been assigned one refuse unit. Based on this formula, each single-family residence is currently charged \$80 per year in the Walnut Park Garbage Disposal District. Multi-family residential and certain commercial and industrial parcels are assessed higher amounts based on their current property use classification.

The current annual service fee for the Walnut Park Garbage Disposal District has been in effect since July 1995. The estimated revenues from the service fee at the current rate, together with projected property tax revenues, will not be sufficient to finance the District's new five-year contract for refuse, recyclable material, and green waste collection services due to the following:

- a) In an effort to improve the current services provided in the Walnut Park Garbage Disposal District and to further enhance waste reduction efforts as mandated by State law, commencing July 1, 2005, the District will employ a new collection mechanism where all garbage, recyclable material, and green waste will be collected separately through mechanical means known as "automated collection" as opposed to the current "manual" operation. The switch to automated collection is for the purposes of: 1) providing more effective and quality services to the District's residents; 2) anticipated increase in the District's diversion rate as residents would be more conscientious about placing their refuse, recyclable material, and green waste in the respective containers for collection; and 3) enhanced services which include electronic waste collection, extra green waste recycling collection, and dumpster services to businesses and multi-family residences. However, since specially designed vehicles and containers must be used for automated collection services, the cost for such services is higher than the cost for manual collection. Additionally, the refuse collection industry has experienced an increase in its operating costs since commencement of the District's

current contract, due to inflation, escalation in disposal fees at the landfills, increases in fuel costs, compliance with Rule 1193, Clean On-road Residential and Commercial Refuse Collection Vehicles, promulgated by the South Coast Air Quality Management District, compliance with Title 13 of the California Code of Regulations, Division 3, Chapter 1, Article 4, Section 2020 et seq., Diesel Particulate Matter Control Measures promulgated by the California Air Resources Board, and labor negotiations. As a result, the lowest responsible bid for automated collection for the Walnut Park Garbage Disposal District's upcoming five-year contract is more than 100 percent higher than the annual cost of the existing contract.

- b) The Walnut Park Garbage Disposal District has used a combination of service fee revenues, property taxes, and reserves to fund its operations. The District's reserves have allowed the District to maintain its service fee at the current rate for the last 10 years, which is approximately 50 percent of the average residential cost throughout the County of Los Angeles. Now the depleting reserves necessitate an increase in the service fees to offset the District's rising operational costs.

Based on the above, it is recommended that the current annual service fee be increased to \$215 per refuse unit (\$18 per refuse unit per month) in the Walnut Park Garbage Disposal District beginning in Fiscal Year 2005-06. Despite the increase, this rate is comparable to the average residential rate among cities and communities providing similar services throughout the County of Los Angeles. It is essential that the operation of the refuse collection and disposal services within the Walnut Park Garbage Disposal District be continued without interruption and at a reasonable cost to protect the environment and health and safety of the District's residents and the general public.

The collection of the service fee on the tax roll remains the most cost-effective mechanism for the billing and accounting of the fee.

Implementation of Strategic Plan Goals

This action is consistent with the County's Strategic Plan Goal of Fiscal Responsibility as the proposed service fee will provide sufficient funds to continue the refuse collection and disposal services within the Walnut Park Garbage Disposal District without interruption. It also satisfies the goal of Service Excellence since providing continuous, automated refuse collection and disposal services to residents and business establishments within the Walnut Park Garbage Disposal District improves the quality of life and protects the public health and safety in the District.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

New or increased fees for refuse collection services may be imposed by ordinance approved by a two-thirds vote of your Board. In addition, an ordinance or resolution approved by a two-thirds vote is required to have the approved fees collected on the tax roll (Sections 5471 and 5473 of the Health and Safety Code). The proposed ordinance (Enclosure C) has been reviewed and approved as to form by County Counsel.

Article XIID, Section 6, of the California Constitution requires that a written notice be provided to the record owner of all identified parcels of property within the Walnut Park Garbage Disposal District by U.S. mail of the amount of the proposed Annual Garbage Collection and Disposal Service Fee imposed upon each parcel; the basis upon which the amount of the service fee was calculated; the reason for the service fee; and the date, time, and location of a public hearing on the proposed service fee. The public hearing is to be conducted not less than 45 days from the date of the notification. The imposition of a service fee for refuse collection services is exempt from voter approval.

Pursuant to Section 5473 of the Health and Safety Code, a report entitled Annual Garbage Collection and Disposal Service Fee Report, Fiscal Year 2005-06, for the Walnut Park Garbage Disposal District (Enclosure A) has been prepared and filed with the Executive Officer-Clerk of the Board of Supervisors. The Report contains a description of each parcel receiving refuse collection service and the amount of the fee for each parcel for the year, computed in conformity with the fee prescribed by the proposed ordinance. Section 5473.1 of the Health and Safety Code requires that notice of the filing of this Report and of a time and place of hearing thereon be published once a week for two successive weeks in a newspaper of general circulation pursuant to Section 6066 of the Government Code (Enclosure B) and mailed to the owners of all parcels described in the Report.

At the hearing, your Board shall hear and consider all protests to the Report or against the proposed service fee. If the Board finds that protests to the Report are made by the owners of a majority of parcels described in the Report, the Report shall not be adopted and the fee, if approved, shall be collected separately from the tax roll. If written protests against the fee are presented by a majority of owners of the identified parcels, the fee shall not be imposed.

The Honorable Board of Supervisors
May 12, 2005
Page 5

ENVIRONMENTAL DOCUMENTATION

Adoption of the enclosed Report and of the proposed ordinance to increase the Garbage Collection and Disposal Service Fee for the Walnut Park Garbage Disposal District and to provide for the collection of the fee on the tax roll is for the purpose of meeting operating expenses and, therefore, is exempt from the California Environmental Quality Act pursuant to Section 21080(b)8 of the Public Resources Code.

IMPACT ON CURRENT SERVICES

The collection of the service fee on the tax roll will allow the Walnut Park Garbage Disposal District to provide enhanced refuse collection and disposal and material and green waste recycling services to all residential, commercial, and industrial customers.

CONCLUSION

Upon approval, please return two approved copies of this letter and Report to Public Works. In addition, please file a copy of the Report with the Auditor-Controller on or before August 10, 2005.

Respectfully submitted,

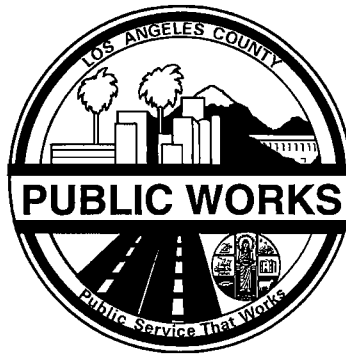
DONALD L. WOLFE
Acting Director of Public Works

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Enc.

cc: Chief Administrative Office
County Counsel
Auditor-Controller

**Annual Garbage Collection
And Disposal Service Fee Report
Fiscal Year 2005-06
For
Walnut Park
Garbage Disposal District**



**Prepared By:
County of Los Angeles
Department of Public Works
Environmental Programs Division**

Enclosure A

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
FISCAL YEAR 2005-06
WALNUT PARK GARBAGE DISPOSAL DISTRICT
PAGE 1 of 2**

INTRODUCTION

The California Health and Safety Code, Section 5470, et seq., requires that if Garbage Collection and Disposal Service Fees are to be collected on the tax roll, a report shall be prepared each year and filed with the Clerk of the Board of Supervisors. The report shall contain a description of each parcel receiving such services and the amount of the fee for each parcel for the year. The Clerk shall file a copy of the report with the Auditor-Controller on or before August 10 of each year, with a statement that the report has been finally adopted by the Board of Supervisors, and the Auditor-Controller shall enter the amounts of the fees against the respective parcels of land as they appear on the current assessment roll. This Report has been prepared to fulfill said requirements.

DISTRICT-SPECIFIC INFORMATION

The Walnut Park Garbage Disposal District provides refuse, recyclable material, and green waste collection services to approximately 2,900 parcels with an estimated population of 17,500 residents. The District encompasses only County unincorporated territory as shown in Attachment A.

It is essential that operation of the collection and disposal services within the District be continued without interruption to protect the environment and health and safety of the District's residents and the general public. The necessary funds must be available to pay the cost of refuse, recyclable material, green waste collection services, and administration of the District's contract.

ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE

In September 1980, the County of Los Angeles Board of Supervisors adopted an Ordinance establishing a service fee to supplement property taxes for garbage collection and disposal services provided in the Walnut Park Garbage Disposal District. The collection of the service fee on the tax roll is the most cost-effective mechanism for the billing and accounting of the fees.

The existing service fee for the Walnut Park Garbage Disposal District is established in the Los Angeles County Code, Chapter 20.90, Part 13 (Attachment B). The annual service fee levied upon each parcel of real property within the District is computed by multiplying the refuse unit fee by the number of refuse units assigned to the property use classification of the parcel, as shown in Table 1 of Section 20.90.650 of the County Code. The number of refuse units per parcel varies from one-half unit for a vacant parcel to 18 units for a community shopping center. A parcel containing a single-family residential unit has been assigned one refuse unit.

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
FISCAL YEAR 2005-06
WALNUT PARK GARBAGE DISPOSAL DISTRICT
PAGE 2 of 2**

The refuse unit fee for the Walnut Park Garbage Disposal District as indicated in Section 20.90.650 of the County Code is being increased from \$80 per unit to \$215 per unit, effective Fiscal Year 2005-06. Accordingly, all single-family residences within the Walnut Park Garbage Disposal District will be assessed a total of \$215 annually for refuse, recyclable material, and green waste collection services. Multi-family residences and certain commercial and industrial establishments are assessed a higher amount based on their property use classification.

IDENTIFICATION OF PARCELS TO BE CHARGED

Attachment C lists all parcels of real property within the Fiscal Year 2004-05 Tax Rate Areas for the Walnut Park Garbage Disposal District. These parcels of real property are further described in the map on file in the office of the County Assessor. These parcels of real property will be charged the appropriate service fee, computed as described above.

A map showing the boundaries of the District is included in Attachment A.

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ATTACHMENT A
WALNUT PARK
GARBAGE DISPOSAL DISTRICT

ATTACHMENT B

WALNUT PARK
GARBAGE DISPOSAL DISTRICT

Part 13

WALNUT PARK GARBAGE DISPOSAL DISTRICT

Sections:

- 20.90.600 Title for citation.
- 20.90.610 Purpose of provisions -- Basis for service fee.
- 20.90.620 Definitions.
- 20.90.630 Service fees.
- 20.90.640 Collection of charges.
- 20.90.650 Table 1 – Refuse units for various property uses

20.90.600 Title for citation. The ordinance codified in Part 7 of Chapter 20.90 shall be known as the "garbage collection and disposal service fee ordinance" of the Walnut Park Garbage Disposal District and may be cited as such. (Ord. 12223 Art. 1 § 101, 1980.)

20.90.610 Purpose of provisions – Basis for service fee. The District is responsible for providing garbage collection and disposal within its boundaries. The amount of money from ad valorem taxes available to the District is inadequate to fund the cost of service. The District's collection and disposal service must be continued without interruption in order to protect the public health and safety of the residents therein and the general public. It is, therefore, necessary to impose a garbage collection and disposal service fee upon the properties within the District. The voters of the District have approved imposition of the fee. In order to avoid the substantial costs of establishing a billing system for the collection of fees, the board of supervisors finds that the fees should be collected on the tax roll. Due to the legal deadlines for such tax collection, it is necessary for the ordinance codified in this part to be effective by September 25, 1980. Since the District's services are required for the collection and disposal of garbage, the board of supervisors finds that the most equitable basis upon which to base the service fee will be according to the current property use classification derived from the assessor's tax rolls. (Ord. 12223 Art. 1 § 102, 1980.)

20.90.620 Definitions. A. "District" means the Walnut Park Garbage Disposal District.

B. "Board" means the board of supervisors of the county of Los Angeles.

C. "Parcel of real property" means a parcel of real property as shown on the local secured tax rolls of the county of Los Angeles. (Ord. 12223 Art. 2 §§ 201, 202, 203, 1980.)

20.90.630 Services fees. A. An annual garbage collection and disposal service fee is levied upon parcels of real property in the District for the services provided by the District.

B. The amount of the fee for each parcel shall be computed by multiplying the number of refuse units assigned to the property use classification of the parcel as shown in Table 1, codified in Section 20.90.350. The refuse unit fee is \$80.00 per unit.

C. This fee shall be in addition to any ad valorem taxes levied on such property. The current property use classification and the refuse units assigned to each property use are as set forth in Table 1. (Ord. 95-0031 § 1, 1995; Ord. 94-0035 § 1, 1994; Ord. 91-0084 § 4, 1991; Ord. 90-0092 § 5, 1990; Ord. 88-0104 § 4, 1988; Ord. 85-0117U § 6, 1985; Ord. 84-0103 § 17, 1984; Ord. 83-0148U § 13, 1983; Ord. 82-0181 § 13, 1982; Ord. 12403 § 1, 1982; Ord. 12223 Art. 3 § 301, 1980.)

20.90.640 Collection of charges. The garbage collection and disposal service fee shall be collected for each fiscal year on the tax roll at the same time and in the same manner as the general taxes of the county of Los Angeles. (Ord. 84-0103 § 18, 1984; Ord. 83-0148U § 14, 1983; Ord. 82-0181 § 14, 1982; Ord. 12403 § 2 (part), 1981; Ord. 12223 Art. 4 § 401, 1980.)

20.90.650 Table 1 -- Refuse units for various property uses.

Table 1

Walnut Park

Current Property Use Classification	Refuse Units
Vacant residential parcels (more than 15 feet in width)	0.5
Single residential units	1
Duplex, double or two units	2
Three residential units (any combination)	3
Four residential units (any combination)	4
Five or more residential units (per unit)	1
Modular homes	1
Rooming houses	1
Mobile home parks	5
Vacant commercial land	0.5

Vacant commercial establishments	1
Miscellaneous commercial	2
Stores	3
Store and office combinations	4
Store and residential combinations	4
Supermarkets	4
Markets, less than 6,000 square feet	2
Shopping centers (neighborhood and community)	18
Shopping centers (regional)	18
Office buildings	5
Hotels – Under 50 rooms	5
Hotels – 50 rooms and over	5
Motels – 5 units and over	5
Motel/hotel and apartment combinations	7
Professional buildings	5
Restaurants	6
Wholesale and manufacturing outlets	2
Banks, savings and loan	2
Service shops, laundries, radio and TV repair	3
Service stations, full-service	3
Service stations, self-service	2
Sales recreation equipment	3
Auto service shops (body and fender garage)	3
Used car sales	2
Car wash	3
Parking lots (commercial use properties)	1
Animal kennels	5
Nurseries or greenhouses	10
Vacant industrial land	0.5
Vacant industrial establishments	1
Miscellaneous industrial	2
Light manufacturing	4
Vacant heavy manufacturing	1
Heavy manufacturing	2
Warehousing, distribution or storage – Under 10,000 square feet	4
Warehousing, distribution – Over 10,000 square feet	5
Food processing plants	6
Motion picture, radio and TV industries	2
Lumberyards	2
Mineral processing	2
Parking lots (industrial use properties)	1
Open storage	2
Dairies	2
Theaters	3
Bowling alleys	5
Clubs, lodge halls and fraternal organizations	5
Auditoriums, stadiums and amphitheaters	5
Gymnasium and health spas	2


20.90.650

Skating rinks	5
Churches	1
Church parking lots	0.5
Private schools	3
Hospitals	5
Homes for the aged and others	3
Cemeteries and mausoleums	3
Mortuaries, funeral homes	10
Utility, pumping plants, state assessed property	1
Petroleum and gas	1
(Ord. 84-0103 § 10, 1984: Ord. 12400 § 2 (part), 1981: Ord. 12220 Art. 5 Table I, 1980.)	

ANALYSIS

This ordinance amends Title 20 – Utilities of the Los Angeles County Code to increase the annual garbage collection and disposal service fee on each parcel of real property within the Walnut Park Garbage Disposal District. The ordinance further provides for the continued collection of the fee on the tax roll.

RAYMOND G. FORTNER, JR.
County Counsel

By 
JUDITH A. FRIES
Principal Deputy County Counsel
Public Works Division

JAF:gjh

5/12/05 (requested)

5/13/05 (revised)

ORDINANCE NO. _____

An ordinance amending Title 20 - Utilities of the Los Angeles County Code to increase the annual garbage collection and disposal service fee for the Walnut Park Garbage Disposal District, and providing for the collection of such fee on the tax roll.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 20.90.630 is hereby amended to read as follows:

20.90.630 Service fees.

A. An annual garbage collection and disposal service fee is levied upon parcels of real property in the District for the services provided by the District.

B. The amount of the fee for each parcel shall be computed by multiplying the refuse unit fee by the number of refuse units assigned to the property use classification of the parcel as shown in Table 1, codified in Section 20.90.650. The refuse unit fee is ~~\$80~~215.00 per unit, beginning with the 2005-06 fiscal year.

C. This fee shall be in addition to any ad valorem taxes levied on such property. The current property use classification and the refuse units assigned to each property use are as set forth in Table 1.

SECTION 2. The annual garbage collection and disposal service fee for the Walnut Park Garbage Disposal District shall be collected for each fiscal year on the tax roll at the same time and in the same manner as the general taxes of the county of Los Angeles, as provided in Section 20.90.640 of the Los Angeles County Code.

[JFCC]

ATTACHMENT C

WALNUT PARK
GARBAGE DISPOSAL DISTRICT

**WALNUT PARK GARBAGE DISPOSAL DISTRICT
GARBAGE COLLECTION AND DISPOSAL SERVICE FEE**

LIST OF TAX RATE AREAS

ACCOUNT NO.	2005-06	TAX RATE AREA
	ANNUAL FEE PER REFUSE UNIT (\$)	
03441	215.00	00666
03441	215.00	01060
03441	215.00	01064
03441	215.00	01200
03441	215.00	01268

INSTRUCTION SHEET FOR PUBLISHING
LEGAL ADVERTISEMENTS

TO: Executive Officer
Board of Supervisors
County of Los Angeles

FROM: Department of Public Works
Environmental Programs Division

**NOTICE OF HEARING
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEES REPORT
FISCAL YEAR 2005-06
WALNUT PARK GARBAGE DISPOSAL DISTRICT**

Publishing

In accordance with Section 5473.1 of the California Health and Safety Code and Section 6066 of the California Government Code, the Executive Officer-Clerk of the Board shall publish notice of the filing of the Annual Garbage Collection and Disposal Service Fees Report, Fiscal Year 2005-06, for the above-referenced Garbage Disposal District and of a time and place of a hearing on the Report. Publication of the notice shall be once a week for two successive weeks in a newspaper of general circulation printed and published once a week, or more often, with at least five days intervening between the respective publication dates, not counting such publication dates. The period of notice commences upon the first day of publication and terminates at the end of the 14th day, including therein the first day.

Forward ten reprints of the advertisement to the County of Los Angeles Department of Public Works, Environmental Programs Division, P.O. Box 1460, Alhambra, California 91802-1460.

Should there be any questions regarding this matter, please contact Fred M. Rubin of this office, at (626) 458-3500, Monday through Thursday, 7 a.m. to 5:30 p.m.

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ENCLOSURE B
PAGE 1 OF 1

AMENDED TITLE 20 ORDINANCE
LOS ANGELES COUNTY CODE

WALNUT PARK GARBAGE DISPOSAL DISTRICT

ENCLOSURE C

ANALYSIS

This ordinance amends Title 20 – Utilities of the Los Angeles County Code to increase the annual garbage collection and disposal service fee on each parcel of real property within the Walnut Park Garbage Disposal District. The ordinance further provides for the continued collection of the fee on the tax roll.

RAYMOND G. FORTNER, JR.
County Counsel

By 
JUDITH A. FRIES
Principal Deputy County Counsel
Public Works Division

JAF:gjh

5/12/05 (requested)

5/13/05 (revised)

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SECTION 1. Section 20.90.630 is hereby amended to read as follows:

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A. An annual garbage collection and disposal service fee is levied upon parcels of real property in the District for the services provided by the District.

B. The amount of the fee for each parcel shall be computed by multiplying the refuse unit fee by the number of refuse units assigned to the property use classification of the parcel as shown in Table 1, codified in Section 20.90.650. The refuse unit fee is ~~\$80~~215.00 per unit, beginning with the 2005-06 fiscal year.

C. This fee shall be in addition to any ad valorem taxes levied on such property. The current property use classification and the refuse units assigned to each property use are as set forth in Table 1.

SECTION 2. The annual garbage collection and disposal service fee for the Walnut Park Garbage Disposal District shall be collected for each fiscal year on the tax roll at the same time and in the same manner as the general taxes of the county of Los Angeles, as provided in Section 20.90.640 of the Los Angeles County Code.

[JFCC]